IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

Bail Appl..No. 5418 of 2007()

CRIME NO.628/07 OF KONDOTTY POLICE STATION

PETITIONER : ACCUSED

T.V.SANTHOSH, S/O.JOY VARGHESE
THARAPPIL HOUSE, KARIVEDAGOM
PADAPPU, KASARAGODE DISTRICT

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STTE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE
KONDOTTY POLICE STATION-THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, KOCHI-31

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5418 of 2007

Dated this the 10th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations for offences punishable under Sections 468 and 471 I.P.C and Section 12 (1)(b) of the Passport Act. The crux of the allegations against the petitioner is that he attempted to fly into India using a forged passport. The photograph of the petitioner was allegedly affixed on a passport issued to some other individual. That is how he tried to fly into India. The petitioner was arrested on 29.08.07. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner can now be enlarged on bail subject to appropriate conditions. In coming to this conclusion, I heavily rely on the submission of the learned Public Prosecutor that the petitioner is not involved in any other crime and that the prosecution does not have a case that the petitioner is involved in any terrorist, subversive or smuggling activities.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer, ie. the Deputy Superintendent , Crime Detachment, Malappuram, who has now taken over the investigation, between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-